



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग I—खण्ड 1
PART I—Section 1

प्रतिपक्षर से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 123]

नई दिल्ली, मंगलवार, जून 30, 1992/आषाढ़ 9, 1914

No. 123]

NEW DELHI, TUESDAY, JUNE 30, 1992/ASADHA 9, 1914

इस भाग में निम्न एक संख्या की जाती है जिससे कि वह जगह संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

वाणिज्य मंत्रालय

अधिसूचना

नई दिल्ली, 30 जून, 1992

सं. 22(एन-3)/92-97

फा. सं. आई पी सी/4/5/(269)/92-97:—आयात और निर्यात
नीति 1992-97 के पैराग्राफ 1 और 3 के अन्तर्गत प्रदत्त अधिकारों का
प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा निर्यात और आयात नीति
1992-97 में निम्नलिखित संशोधन करती है :

1. अध्याय 1 पैराग्राफ 3 में दूसरा वाक्य हटा दिया जाएगा और
प्रथम वाक्य के बाद निम्नलिखित जोड़ा जाएगा :

“सरकारी राजपत्र में प्रकाशित एक अधिसूचना के माध्यम से संशोधन
किया जाएगा। उसके बाद, मुख्य नियंत्रक आयात-निर्यात द्वारा जारी
की गई सार्वजनिक सूचना के माध्यम से एक अधिसूचना प्रकाशित
की जाए।

2. अध्याय 3 में

(1) पैराग्राफ 7 खण्ड (6) में निम्नलिखित को खण्ड के अन्त में
जोड़ा जाएगा :

“पूजीयत माल में रिफ्रेक्ट्रीज रेजिस्ट्रेशन उपस्कर और पावर जनरेटिंग
सेट शामिल होंगे।

(2) पैराग्राफ 7 खण्ड (ii) में निम्नलिखित को खण्ड के अन्त में
जोड़ा जाएगा :

“और सहायक सवकरण, संयंका धान और अतिरिक्त पुर्जे, ऐसे उप-
सोवला ड्यूरेबल्स के।

(3) पैराग्राफ 7 खण्ड (25) में निम्नलिखित को खण्ड के अन्त में
जोड़ा जाएगा :

“और इसमें से रेफ्रिजरेशन, रिपेकिंग, पालिशिंग, लेबलिंग और
विमगल जैसी प्रक्रियाएं शामिल होंगी। इस नीति के प्रयोजनों
के लिए विनिर्माण में कृषि, एक्वाकल्चर, पशुपालन, पुष्पो-
पावन, बागवानी, मत्स्यपालन, कुक्कुटपालन और रेशम उत्पादन
भी शामिल होंगे।

3. अध्याय 4 में पैराग्राफ 21

(1) हाशिए में दिया गया शीर्ष निम्नलिखित द्वारा प्रतिस्थापित
किया जाएगा :

"इस अध्याय के प्रयोजन के लिए, भारतीय निर्यात संगठनों की फेडरेशन (एफ आई ई ओ) को निर्यात संवर्धन परिषद के रूप में माना जायेगा।"

32. अध्याय 15 में

- (1) भाग 2 पैराग्राफ 156 अनुभाग च में क्रम संख्या 4 पर प्रविष्टि निम्नलिखित द्वारा प्रतिस्थापित की जाएगी :

"4.0.8 मि. मि. और इससे अधिक की मोटाई —वही— के निगल सॉल्विड प्रिन्टिड सर्कट बोर्ड्स"

- (2) भाग 2 पैराग्राफ 156 अनुभाग ब में प्रविष्टि क्रम संख्या 15 में कालम (2) में "भारतीय राष्ट्रीय किरम अभिलेखागार" शब्दों के स्थान पर "राष्ट्रीय किरम विकास निगम" जोड़ा जाएगा।

- (3) भाग 3 पैराग्राफ 157 में प्रविष्टि क्रम संख्या 1 खण्ड (छ) में, शब्द "और" को हटा दिया जायेगा और निम्नलिखित को खण्ड (1) के रूप में जोड़ा जाएगा :

"(1) हार्ड स्पीड डीजल"

- (4) भाग 3 पैराग्राफ 157, क्रम संख्या 7 पर प्रविष्टि को निम्नलिखित प्रविष्टि द्वारा प्रतिस्थापित किया जाएगा।

"7 डरटी एसिड और एसिड सेल, अर्थात् पाम करनेल तेल पाम स्टोराईन, टैलो एमाइन, हाइड्रोजेनेटेड टैलो एमाम, उनके प्राइमरी सेकेन्डरी, टैरिडियरी और क्वाक्वरी डिराइवेडिक्म सहित।"

33. अध्याय 16 में

- (1) भाग 2 पैराग्राफ 159 क्रम संख्या 21 में सब (7) के सामने की प्रविष्टि को निम्नलिखित द्वारा प्रतिस्थापित किया जाएगा :

"लार्निंग लैडर्स अर्थात् :

- (1) गाय और भैंस की चमड़ी और बछड़े के चर्म से लार्निंग स्वेव
(2) बकरी, भेड़, भेड़िए और भेड़ की चमड़ी से लार्निंग स्वेव"

- (2) भाग 2 पैराग्राफ 162 में क्रम संख्या 17 पर प्रविष्टि में "सप्लिट्स" शब्द को हटा दिया जाएगा।

- (3) भाग 5 पैराग्राफ 162 में क्रम संख्या 33 की प्रविष्टि में खंड (4) के बाव निम्नलिखित खंड जोड़े जाएंगे।

"(5) ट्राइमिथार्डल फासफाइट"

(6) डाइ आइसोप्रोपिल एमार्बिन"

इसे सार्वजनिक हित में जारी किया जाता है।

डी. प्रार. मेहता, मुख्य नियंत्रक आयात निर्यात

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 30th June, 1992

NO. 22(N-3)/93—97

F. No. IPC/4/5(269)/92—97.—In exercise of the powers conferred under paragraphs 1 and 3 of the Export and Import Policy 1992—97, the Central Government hereby makes the following amendments in the Export and Import Policy 1992—97:—

1. Chapter I paragraph 3, the second sentence shall be deleted and, after the first sentence, the following shall be added:

"An amendment shall be made by means of a Notification published in the Official Gazette. Thereafter, the amendment may be published by means of a Public Notice issued by the Chief Controller of Imports and Exports."

2. In Chapter III

- (i) in paragraph 7 clause (6), the following shall be added at the end of the clause :

"Capital goods shall also include refractories, refrigeration equipment and power generating sets."

- (ii) in paragraph 7 clause (11), the following shall be added at the end of the clause:

"and accessories, components, parts and spares of such consumer durables."

- (iii) in paragraph 7 clause (25), the following shall be added at the end of the clause;

"and shall include processes such as refrigeration, re-packing, polishing, labelling and segregation. Manufacture, for the purposes of this Policy, shall also including agriculture, aquaculture, animal husbandry, floriculture, horticulture, pisciculture, poultry and sericulture."

3. In Chapter IV paragraph 21,

- (i) the marginal heading shall be substituted by the following:

"Exemption from Policy/Procedure."

- (ii) the following shall be added at the end of the paragraph:

"The Chief Controller of Imports and Exports may, in public interest, exempt any person or class or category of persons from any provision of this Policy or any procedure and may, while granting such exemption, impose such conditions as he may deem fit."

4. In Chapter V paragraph 24, the following shall be inserted at the beginning of the paragraph:

"Notwithstanding anything contained in paragraphs 22 and 23,"

5. In Chapter V paragraph 25, clauses (b) and (d) shall be substituted by the following clauses:

- "(b) Garments/Hosiery/Made-ups (of all fibres)
(d) Leather, Rubber and Canvas footwear"

6. In Chapter V, paragraph 30 shall be substituted by the following paragraph :

"30. The following capital goods, including second-hand capital goods, may be imported on re-export basis without a licence on execution of bond/bank guarantee to the satisfaction of the Customs authorities:

- (a) Capital goods for repairs or reconditioning;
(b) Jigs, fixtures, dies including contour roller dies), moulds (including moulds for die casting), patterns, press tools and lasts; and
(c) Construction machinery and other equipment."

7. In Chapter V paragraph 32, the following shall be added as a sub-paragraph :

"Indigenous capital goods or parts or components thereof may be sent abroad for testing, quality improvement or upgradation of technology after obtaining a licence from the Chief Controller of Imports and Exports for such export on re-import basis."

8. In Chapter VI paragraph 40, the following shall be added at the end of the paragraph:

"Import of capital goods under the scheme shall be subject to the Actual User condition."

In chapter V, paragraph 41, the words "For this purpose" shall be substituted by the following :

"Physical exports of goods in fulfilment of export obligation against licences issued under Duty Exemption Scheme (except Special Import Licences) shall be taken into account. However"

10. In Chapter VI paragraph 42,

(i) the marginal heading shall be substituted by the following heading :

"Leasing of Capital Goods"

(ii) the paragraph shall be substituted by the following paragraph:

"42. An EPCG licence may, on the basis of a firm contract between the parties, source the capital goods from a domestic leasing company. In such a case, the name of the domestic leasing company will be endorsed on the EPCG licence to enable it to import the capital goods at the concessional rate of duty and supply the same to the EPCG licence holder on such terms and conditions as may be mutually agreed upon between the two parties. The export obligation, however, shall remain on the EPCG licence holder. In case the EPCG licence holder commits a breach of contract and, as a result, the leasing company repossesses the capital goods, the indemnity-cum-guarantee bond shall be enforced against the EPCG licence holder by the licensing authority."

11. In Chapter VI, paragraph 45 shall be substituted by the following paragraph :

"45. A manufacturer-exporter shall be required to execute with the licensing authority an indemnity-cum-guarantee bond, supported by a bank guarantee, in the specified form for the value and period as mentioned in the licence. However, after the manufacturer-exporter has fulfilled 50% of the export obligation, the licensing authority may discharge the bank guarantee and require the manufacturer-exporter to execute a legal undertaking (LUT) for fulfilment of the remainder of the export obligation. The licensing authority may exempt an Export House/Trading House/Star Trading House from the requirement of furnishing an indemnity-cum-guarantee bond supported by a bank guarantee and may allow it to execute instead a legal undertaking (LUT)."

12. In Chapter VI, paragraph 46 shall be substituted by the following :

"46. A person may apply for a licence under the EPCG Scheme to import the capital goods in SKD/CKD condition or components of such capital goods and may assemble or manufacture, as the case may be, the capital goods. A person already holding a licence under the EPCG Scheme may apply for an amendment to the licence to import capital goods or components as permitted in this paragraph. In either case, the export obligation under paragraph 38 shall be fixed with reference to the CIF value of such imports and all other provisions of this Chapter shall apply to such imports."

13. In Chapter VII paragraphs 47 and 48, the words "spares including mandatory spares and packing materials" shall be substituted by the words "spares including mandatory spares, packing materials and computer software".

14. In Chapter VII paragraph 50, clause (e) shall be deleted and clause (b) and (c) shall be substituted by the following clauses:

(b) The quantity of each item to be imported or, in any case where the quantity cannot be indicated, the Value of the item;

(c) The CIF value of imports."

15. In Chapter VII paragraph 54, in the third sub paragraph, the words "one year" shall be substituted by the words "two years".

16. In Chapter VII paragraph 55, the words "under an agreement" shall be deleted.

17. In Chapter VII paragraph 56,

(i) in clause (iv) the word "and" at the end of the clause shall be deleted.

(ii) in clause (v) the words "by the Indian main contractors" shall be deleted and a semi-colon shall be placed at the end of the clause.

(iii) the following clauses shall be added as clauses (vi) and (vii);

"(vi) Supply of capital goods to holders of licences under the Export Promotion Capital Goods (EPCG) Scheme; and

(vii) Supply of goods to any project funded partly or wholly by a foreign government or agency as may be notified by the Central Government."

18. In Chapter VII paragraph 68, the following shall be added at the end of the paragraph;

"or, in the case of deemed exports, supplied to the purchaser of the product".

19. In Chapter VII paragraph 70 shall be substituted by the following paragraph :

"70. The benefit under the International Price Reimbursement Scheme (IPRS) shall be admissible on the indigenous inputs used in the manufacture of products exported under the duty exemption scheme.

The benefit under the duty drawback scheme shall be available to the extent of the excise duty paid on the indigenous inputs used in the manufacture of products exported under the duty exemption scheme."

20. In Chapter VII paragraph 72, the word "An" shall be substituted by the words "A quantity based".

21. In Chapter VII paragraph 76,

(i) after words "as indicated in", the words and number "paragraph 147 of" shall be inserted.

(ii) After the words "prescribed in" the words and number "paragraph 149 of" shall be inserted.

22. In Chapter VIII paragraph 84, after the words "New Delhi", the following shall be inserted:

"or any other exporter whose annual average export of cut and polished diamonds during the preceding three licensing years has been not less than Rs. 10 crores and who fulfils such other conditions as may be specified by the Chief Controller of Imports & Exports in this behalf."

23. In Chapter VIII paragraph 88 Scheme D, after the words "contained in", the words and number "paragraph 72 of" shall be inserted.

24. In Chapter IX paragraph 97,

(i) the marginal heading shall be substituted by the following:

"Value addition and Export Obligation"

(ii) the following shall be added at the end of the paragraph:

"Items of manufacture for export specified in the letter of permission/letter of intent alone shall be taken into account for calculation of value addition and discharge of export obligation."

25. In Chapter IX, paragraph 94 shall be substituted by the following paragraph:

"An EOU/EPZ unit may import free of duty all types of goods, including capital goods required by it for production, provided they are not prohibited items in the Negative List of Imports."

26. In Chapter IX paragraph 100, the words and number "Press Note No. 3" shall be substituted by the words and number "Press Note No. 13".

27. In Chapter IX, paragraph 106 shall be substituted by the following paragraph:

"106. Supplies from the DTA to EOU/EPZ units will be regarded as "deemed exports" and, besides being eligible for the benefits under paragraph 122 of this Policy, will be eligible for the following benefits:

- (a) Refund of Central Sales Tax;
- (b) Exemption from payment of Central Excise Duty on capital goods, components and raw materials; and
- (c) Discharge of export obligation, if any, on the supplier."

28. In Chapter X paragraph 121,

(i) in the first sentence, after the words "supply of goods" the words and sign :

"by the main/sub-contractors" shall be inserted.

(ii) in clause (g), the words "by the Indian main contractors" shall be deleted.

(iii) the following clause shall be added as clause (h) :

"(h) Supply of goods to any project funded partly or wholly by a foreign government or agency as may be notified by the Central Government."

29. In Chapter XI, paragraph 126 shall be substituted by the following paragraph :

"126. All export contracts shall be denominated in freely convertible currency. Contracts for which payments are received through the Asian Clearing Union (ACU) may be denominated in the currency of the country of the exporter or imported or in any freely convertible currency."

30. In Chapter XII, paragraph 140 shall be substituted by the following paragraph :

"140. Double weightage shall be given to the NFE earned by the export of products manufactured by Small Scale Industries (SSI) and triple weightage

shall be given to the NFE earned by the export of products, including hand-knotted carpets and ink products, manufactured by the handlooms and handicrafts sectors."

31. In Chapter XIII paragraph 143, after entry (ix) the following shall be added as a sub-paragraph :

"For the purpose of this Chapter, the Federation of Indian Export Organisation (FIEO) shall be regarded as an Export Promotion Council."

32. In Chapter XV

(i) in Part II paragraph 156 Section F, the entry at Sl. No. 4 shall be substituted by the following entry :

4. Single sided printed circuit boards of thickness 0.8 mm and above. -do-

(ii) in Part II paragraph 156 Section J, in the entry at Sl. No. 15, in column (2) after the words "National Film Archives of India", the words "National Film Development Corporation" shall be inserted.

(iii) in Part III paragraph 157, in the entry at Sl. No. 1 clause (g), the word "and" shall be deleted and the following shall be added as clause (i) :

"(i) High Speed Diesel."

(iv) in Part III paragraph 157, the entry at Sl. No. 7 shall be substituted by the following entry :

"7. Fatty acids and acid oils, namely, Palm Kernel Oil, Palm Stearine, allow amines, Hydrogenated tallow amines, Oleyl amines and stearyl amines, including their primary, secondary, tertiary and quaternary derivatives."

33. In Chapter XVI (i) in Part II paragraph 159 Sl. No. 21, the entry against item (vii) shall be substituted by the following :

"(vii) Lining leathers namely :

(1) Lining suede from cow and buffalo hides and calf skins".

(2) Lining suede from goat, kid lamb and sheep".

(ii) in Part V paragraph 162, in the entry at Sl. No. 17, the word "splits" shall be deleted.

(iii) in Part V paragraph 162, in the entry at Sl. No. 33, after clause (iv) the following clause shall be added :

"(v) Trimethyl Phosphite

(vi) Di-isopropyl amine"

This issues in public interest.

D. R. MEHTA, Chief Controller of Imports & Exports